United Nations A/64/PV.98

# General Assembly
Sixty-fourth session

*Official Records*

**98**th plenary meeting
Friday, 18 June 2010, 3 p.m.
New York

*President*: Mr. Ali Abdussalam Treki ..... (Libyan Arab Jamahiriya)

*The meeting was called to order at 3.15 p.m.*

**Agenda item 112 (*continued*)**

**Appointments to fill vacancies in subsidiary organs and other appointments**

**(g) Appointment of members of the Joint Inspection Unit**

**Note by the President of the General Assembly (A/64/805)**

**The President** (*spoke in Arabic*): As indicated in document A/64/805, the General Assembly is required, during its current session, to appoint four members of the Joint Inspection Unit to fill the vacancies that will arise from the expiration of the terms of office of Messrs. Gérard Biraud, Papa Louis Fall, István Posta and Cihan Terzi on 31 December 2010.

In accordance with the procedures described in article 3, paragraph 1, of the statute of the Joint Inspection Unit and pursuant to General Assembly resolution 61/238, of 22 December 2006, having consulted Member States and having drawn up a list of countries from among the regional groups concerned, I requested France, Hungary, Senegal and Turkey to propose candidates to serve for a period of five years beginning 1 January 2011.

As also indicated in document A/64/805, the candidates, in accordance with paragraph 7 of resolution 59/267, of 23 December 2004, should have experience in at least one of the following fields: oversight, audit, inspection, investigation, evaluation, finance, project evaluation, programme evaluation, human resources management, management, public administration and monitoring and/or programme performance, in addition to knowledge of the United Nations system and its role in international relations.

As further indicated in document A/64/805, as a result of the consultations held in accordance with article 3, paragraph 2, of the statute of the Joint Inspection Unit, including consultations with the President of the Economic and Social Council and with the Secretary-General in his capacity as Chairman of the United Nations System Chief Executives Board for Coordination, I submit to the Assembly the candidatures of Mr. Gérard Biraud (France), Mr. István Posta (Hungary), Mr. Papa Louis Fall (Senegal) and Mr. Cihan Terzi (Turkey) for appointment as members of the Joint Inspection Unit for a five-year term of office beginning on 1 January 2011 and expiring on 31 December 2015.

May I take it that it is the wish of the Assembly to appoint Mr. Gérard Biraud (France), Mr. István Posta (Hungary), Mr. Papa Louis Fall (Senegal) and Mr. Cihan Terzi (Turkey) as members of the Joint Inspection Unit for a five-year term of office beginning on 1 January 2011 and expiring on 31 December 2015?

*It was so decided.*

**The President** (*spoke in Arabic*): May I take it that it is the wish of the General Assembly to conclude its consideration of sub-item (g) of agenda item 112?

*It was so decided.*

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**Agenda item 7 (*continued*)**

**Organization of work, adoption of the agenda and allocation of items**

**The President** (*spoke in Arabic*): I now invite the attention of the General Assembly to sub-item (j) of agenda item 112, "Appointment of three ad litem judges of the United Nations Dispute Tribunal". Members will recall that the General Assembly concluded its consideration of sub-item (j) of agenda item 112 at its 81st plenary meeting, on 29 March 2010.

In order for the General Assembly to appoint one ad litem judge to the United Nations Dispute Tribunal, it will be necessary first to reopen consideration of sub-item (j) of agenda item 112. May I take that it is the wish of the General Assembly to reopen its consideration of sub-item (j) of agenda item 112?

*It was so decided.*

**Agenda item 112 (*continued*)**

**Appointments to fill vacancies in subsidiary organs and other appointments**

**(j) Appointment of three ad litem judges of the United Nations Dispute Tribunal**

**Report of the Internal Justice Council (A/64/791)**

**Letter from the Secretary-General addressed to the President of the General Assembly (A/64/793)**

**Memorandum by the Secretary-General (A/64/797)**

**The President** (*spoke in Arabic*): Members will recall that, by its resolution 63/253, of 24 December 2008, the General Assembly decided, inter alia, to appoint three ad litem judges for a term of one year each to address the problem of the backlog of cases being transferred from the old system to the Dispute Tribunal.

At its 81st plenary meeting, the General Assembly, on the recommendation of the Internal Justice Council, extended the terms of office of the following persons as ad litem judges of the Dispute Tribunal for a one-year term of office beginning on 1 July 2010: Mr. Michael Adams (Australia), Mr. Jean-François Cousin (France) and Ms. Nkemdilim Amelia Izuako (Nigeria).

On 25 May 2010, the Secretary-General informed the President of the General Assembly of the need to appoint, on an urgent basis, an ad litem judge to fill the one-year term with the United Nations Dispute Tribunal in New York beginning on 1 July 2010, following the departure of Judge Michael Adams.

Due to that urgent need, in document A/64/791 the members of the Internal Justice Council reported on the Council's contact with those persons put forward in its report to the Assembly for appointment as a judge on the Dispute Tribunal or Appeal Tribunal, as set forth in document A/63/489. All persons put forward but not ultimately selected, except those from countries currently represented on the Dispute Tribunal, were contacted by the Internal Justice Council.

The Internal Justice Council has now presented two candidates for appointment as an ad litem judge: Marilyn Kaman (United States) and Virgilijus Valančius (Lithuania). These candidates are the only two from the list previously submitted to the General Assembly who are not from countries currently represented on the United Nations Dispute Tribunal and who are available for appointment as an ad litem judge for one year from 1 July 2010.

The candidate who obtains the largest number of votes and not less than a majority of the votes of those present and voting shall be considered elected and thereby appointed by the Assembly as an ad litem judge of the Dispute Tribunal.

Also, balloting shall continue, in accordance with the rules of procedure of the General Assembly, until one candidate has obtained, in one or more ballots, a majority of the votes of the members present and voting.

May I take it that the Assembly agrees to those procedures?

*It was so decided.*

**The President** (*spoke in Arabic*): The General Assembly will now proceed to the election of one ad litem judge of the United Nations Dispute Tribunal.

Only those candidates whose names appear on the ballot papers are eligible for election. Representatives are requested to indicate the candidate for whom they

wish to vote by placing a cross against his or her name on the ballot paper. Each representative may vote for not more than one candidate.

The election will be held in accordance with the relevant rules of procedure of the General Assembly. Therefore, in accordance with rule 92 of the rules of procedure, the election shall be held by secret ballot and there shall be no nominations. The ballot papers reflect this pattern.

Before we begin the voting process, I should like to remind members that, pursuant to rule 88 of the rules of procedure of the General Assembly, no representative shall interrupt the voting except on a point of order on the actual conduct of the voting.

We shall now begin the voting process. Members are requested to remain seated until all ballots have been collected.

Ballot papers will now be distributed. May I request representatives to indicate the candidate for whom they wish to vote by placing a cross against his or her name on the ballot paper.

May I also remind representatives that they may vote for not more than one candidate for appointment as ad litem judge of the Tribunal. A ballot will be declared invalid if more than one name is marked for appointment as ad litem judge of the Dispute Tribunal.

*At the invitation of the President, Ms. Weston (Australia), Mr. Cumberbatch Miguen (Cuba), Mr. Castañeda Solares (Guatemala), Ms. Parado-Brillo (Philippines), Mr. Blatter (Switzerland) and Mr. Chigejo (Zimbabwe) acted as tellers.*

*A vote was taken by secret ballot.*

*The meeting was suspended at 3.45 p.m. and resumed at 4.10 p.m.*

**The President** (*spoke in Arabic*): The result of the voting is as follows:

*New York*

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| Number of ballot papers: | 147 |
| Number of invalid ballots: | 0 |
| Number of valid ballots: | 147 |
| Abstentions: | 0 |
| Number of members present and voting: | 147 |
| Required majority: | 74 |
| Number of votes obtained: | |
| Ms. Marilyn Kaman (United States of America) | 118 |
| Mr. Virgilijus Valančius (Lithuania) | 29 |

*Having obtained the required majority and the largest number of votes, Ms. Marilyn Kaman (United States of America) was appointed as an ad litem judge of the United Nations Dispute Tribunal to serve for a one-year term commencing on 1 July 2010.*

**The President** (*spoke in Arabic*): On behalf of the General Assembly, I would like to congratulate Ms. Kaman on her election, as well as to thank the tellers for their assistance.

May I take it that it is the wish of the General Assembly to conclude its consideration of sub-item (j) of agenda item 112?

*It was so decided.*

*The meeting rose at 4.15 p.m.*